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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,206	09/27/2001	David D. Crouch	PD-00W158	2929
23915 7	590 04/09/2003			
	CKET ADMINISTE	EXAMINER		
RAYTHEON S P.O. BOX 902	SYSTEMS COMPAN' (E1/E150)	Y	WIMER, MICHAEL C	
BLDG EI M S EI50				
EL SEGUNDO	O, CA 90245-0902		ART UNIT	PAPER NUMBER
			2821	
			DATE MAILED: 04/09/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	09/965,206	CROUCH ET AL.					
Office Action Summary	Examiner	Art Unit					
	Michael C. Wimer	2821					
Th MAILING DATE of this communication app	pears on the cover sheet with the c	correspondence address -					
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period v Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	7 IS SET TO EXPIRE 3 MONTH: 36(a). In no event, however, may a reply be tild within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	mely filed ys will be considered timely. In the mailing date of this communication (35 U.S.C. § 133).	ation.				
Status	/a.aa 0000						
1) Responsive to communication(s) filed on 13 v							
<u> </u>	is action is non-final.						
3) Since this application is in condition for allowated closed in accordance with the practice under Disposition of Claims			ts is				
4)⊠ Claim(s) <u>1-33</u> is/are pending in the application							
4a) Of the above claim(s) is/are withdray							
5)⊠ Claim(s) <u>10-18 and 25-29</u> is/are allowed.	WIT HOLL CONSIDERATION.						
6)⊠ Claim(s) <u>1-9,19-24 and 30-33</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or	r election requirement	•					
Application Papers	·						
9) The specification is objected to by the Examine	r.						
10) The drawing(s) filed on is/are: a) □ accep	oted or b)⊡ objected to by the Exa	miner.					
Applicant may not request that any objection to the	e drawing(s) be held in abeyance. S	See 37 CFR 1.85(a).					
11) The proposed drawing correction filed on	is: a)□ approved b)□ disappro	oved by the Examiner.					
If approved, corrected drawings are required in rep	bly to this Office action.						
12)☐ The oath or declaration is objected to by the Ex	aminer.						
Priority under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a	a)-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:							
1. Certified copies of the priority documents	s have been received.		•				
2. Certified copies of the priority documents	2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the prior application from the International But	reau (PCT Rule 17.2(a)).	•					
* See the attached detailed Office action for a list	•						
14) Acknowledgment is made of a claim for domestic			ation).				
 a) The translation of the foreign language pro 15) Acknowledgment is made of a claim for domesting 	• •						
Attachment(s)	_						
) ⊠ Notice of References Cited (PTO-892) 2) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u>	5) Notice of Informal	y (PTO-413) Paper No(s) Patent Application (PTO-152)	<u>-</u> ·				

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Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-9, 19-24 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust et al (2617030).

Regarding Claims 1-9,20-24 and 30-33, Rust et al show a wavefront transformer "M", particularly in Figures 9 and 10, suitable for transforming an incident EM wavefront having a given shape to a reflected wavefront having a different shape (see column 3, lines 36-66; and particularly column 5, line 30 to column 6, line 30), comprising:

a substrate "M" having a conductive surface for reflecting the incident EM energy, and a plurality of openings formed by plates "B" and "W" in the conductive surface (Fig. 10), each opening formed by a respective one of the plurality of discrete cavities extending from the conductive surface and having a flat bottom surface, each cavity having a selected position on the conductive surface with respect to the focal point to include a propagation phase shift over the distance to the focal point, each cavity inducing a local phase shift in the reflected EM energy as a function of a selected dimension of the cavity, the combined propagation phase shift and local phase shift from the plurality of cavities places

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the reflected EM energy in phase at the focal point, all arranged as claimed. It would have been obvious to the skilled artisan that the local phase shift within the cavities, such that said cavities are dimensioned with respect to the wavelength and phase desired, produce an in-phase condition at the focal point within the phase center of the radiating horn "P" (e.g., Fig. 9).

Further regarding Claim 4, the first plate includes the plate "B" and "W" in Fig. 10, which overlays the back reflector plate. Regarding Claims 20-23, 31 and 33, the shape of the cavities formed between the plates "B" and "W" is a matter of design choice, wholly dependent upon the polarization of the wave. Rectangular cavities are employed here because a "vertical" wave is used in the horn radiator.

Response to Arguments

Applicant's arguments with respect to claims of record have been considered but 3. are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTE Shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wimer whose telephone number is (703) 305-3555. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (703) 308-4856.

Michael C. Wimer

Primary Examiner

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MCW

24 March 2003